

GEOFFREY HANSEN  
Acting Federal Public Defender  
MANUEL U. ARAUJO  
Assistant Federal Public Defender  
160 West Santa Clara Street, Suite 575  
San Jose, CA 95113  
Telephone: (408) 291-7753  
Counsel for Defendant LINARES-MARTINEZ

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 11-00420 – EJD
	)	
Plaintiff,	)	<b>STIPULATION TO CONTINUE THE</b>
v.	)	<b>SENTENCING HEARING FROM</b>
	)	<b>APRIL 23, 2012 TO JUNE 18, 2012; and,</b>
CARLOS LINARES-MARTINEZ,	)	<b>[PROPOSED] ORDER.</b>
	)	
Defendant.	)	
_____	)	

**STIPULATION**

Defendant and the government, through their respective counsel, hereby stipulate, subject to the Court's approval, that the sentencing hearing currently set for April 23, 2012, be continued to June 18, 2012. The reasons for the stipulation follow. Defense counsel by facsimile sent the probation report referral to the San Francisco Division of the United States Probation Office. Defense counsel failed to follow through on the matter to verify that the referral had been received by the United States Probation Office in San Jose. The San Jose probation office did not receive the referral and has no record that the Probation Office received it. A presentence report has not been prepared and it is not expected that a report could reasonably be ready by April 23, 2012. Defense counsel has discussed the continuance

1 with United States Supervising Probation Officer Susan Portillo, and she has indicated that  
2 June 18, 2012, is an acceptable date for the sentencing hearing.

3 Dated: April 6, 2012

\_\_\_\_\_/s/\_\_\_\_\_  
4 MANUEL U. ARAUJO  
Assistant Federal Public Defender


5 Dated: April 6, 2012

\_\_\_\_\_/s/\_\_\_\_\_  
6 ANN MARIE URSINI,  
Special, Assistant United States Attorney

7  
8  
9 ~~PROPOSED~~ ORDER  
10

11 WHEREFORE, based on the above, the COURT HEREBY ORDERS that the  
12 sentencing date in the above-captioned case is moved from April 23, 2012 to June 18, 2012.

13 DATED: April 6, 2012, \_\_\_\_\_  
14

  
15 HONORABLE EDWARD J. DAVILA,  
United States District Court Judge  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26